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General Assembly

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A/C.1/51/L.36
29 October 1996

ORIGINAL: ENGLISH

Fifty-first session
FIRST COMMITTEE
Agenda item 60

PROHIBITION OF THE DEVELOPMENT AND MANUFACTURE OF NEW TYPES OF WEAPONS OF MASS DESTRUCTION AND NEW SYSTEMS OF SUCH WEAPONS: REPORT OF THE CONFERENCE ON DISARMAMENT

Afghanistan, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bolivia, Brazil, Bulgaria, Costa Rica, Czech Republic, Denmark, Finland, Germany, Greece, Hungary, India, Indonesia, Italy, Kazakstan, Kyrgyzstan, Luxembourg, Mongolia, Netherlands, Russian Federation, Slovakia, Slovenia, Sweden, Tajikistan, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Viet Nam: draft resolution

The General Assembly,

Recalling its previous resolutions on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons,

Taking note of paragraph 77 of the Final Document of the Tenth Special Session of the General Assembly, 1/

Determined to prevent the emergence of new types of weapons of mass destruction that have characteristics comparable in destructive effect to those of weapons of mass destruction identified in the definition of weapons of mass destruction adopted by the United Nations in 1948,

Noting that the item entitled "New types of weapons of mass destruction and new systems of such weapons: radiological weapons" was considered in the Conference on Disarmament during its 1994, 1995 and 1996 sessions,

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1/ Resolution S-10/2.

Also noting the desirability of keeping the matter under review, as appropriate,

1. Reaffirms that effective measures should be taken to prevent the emergence of new types of weapons of mass destruction;

2. Requests the Conference on Disarmament, without prejudice to further overview of its agenda, to keep the matter under review, as appropriate, with a view to making, when necessary, recommendations on undertaking specific negotiations on identified types of such weapons;

3. Calls upon all States, immediately following any recommendation of the Conference on Disarmament, to give favourable consideration to those recommendations;

4. Requests the Secretary-General to transmit to the Conference on Disarmament all documents relating to the consideration of this item by the General Assembly at its fifty-first session;

5. Also requests the Conference on Disarmament to report the results of any consideration of the matter in its annual reports to the General Assembly;

6. Decides to include in the provisional agenda of its fifty-fourth session the item entitled "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference on Disarmament".

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ORIGINAL: ENGLISH

Fifty-first session
FIRST COMMITTEE
Agenda item 71 (k)

GENERAL AND COMPLETE DISARMAMENT

Colombia, Costa Rica, Fiji, Ghana, Indonesia, Iran (Islamic Republic of), Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Mali, Marshall Islands, Mexico, Mongolia, Myanmar, Namibia, Niger, Philippines, Samoa, Solomon Islands, Uruguay, Viet Nam and Zimbabwe: draft resolution

Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons

The General Assembly,

Recalling its resolution 49/75 K of 15 December 1994, in which it requested the International Court of Justice to render an advisory opinion on whether the threat or use of nuclear weapons is permitted in any circumstance under international law,

Mindful of the solemn obligations of States parties, undertaken in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, particularly to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament,

Recalling its resolution 50/70 P of 12 December 1995, in which it called upon the Conference on Disarmament to establish an ad hoc committee on nuclear disarmament to commence negotiations on a phased programme of nuclear disarmament and for the eventual elimination of nuclear weapons within a time-bound framework,

Recalling also the Principles and Objectives for Nuclear Non-Proliferation and Disarmament adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and in particular the objective of determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally with the ultimate goal of eliminating those weapons,

Recognizing that the only defence against a nuclear catastrophe is the total elimination of nuclear weapons and the certainty that they will never be produced again,

Desiring to achieve the objective of a legally binding prohibition of the development, production, testing, deployment, stockpiling, threat or use of nuclear weapons and their destruction under effective international control,

Reaffirming the commitment of the international community to the goal of the total elimination of nuclear weapons and welcoming every effort towards this end,

Reaffirming the central role of the Conference on Disarmament as the single multilateral disarmament negotiating forum,

Noting the adoption of the Comprehensive Nuclear-Test-Ban Treaty by the General Assembly in its resolution 50/245 of 10 September 1996,

Regretting the absence of multilaterally negotiated and legally binding security assurances from the threat or use of nuclear weapons against non-nuclear-weapon States,

Convinced that the continuing existence of nuclear weapons poses a threat to all humanity and that their use would have catastrophic consequences for all life on Earth,

1. Expresses its appreciation to the International Court of Justice for responding to the request made by the General Assembly at its forty-ninth session;

2. Takes note of the Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons, issued on 8 July 1996; 1/

3. Underlines the unanimous conclusion of the Court that "There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control";

4. Calls upon all States to fulfil that obligation immediately by commencing multilateral negotiations in 1997 leading to an early conclusion of a nuclear weapons convention prohibiting the development, production, testing,

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1/ A/51/218.

deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination;

5. Requests the Secretary-General to provide necessary assistance to support the implementation of the present resolution;

6. Decides to include in the provisional agenda of its fifty-second session an item entitled "Follow-up to the Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons".

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Fifty-first session
FIRST COMMITTEE
Agenda item 71

GENERAL AND COMPLETE DISARMAMENT

Angola, Australia, Austria, Cambodia, Cameroon, Chile, Congo, Costa Rica, El Salvador, Ethiopia, Gabon, Georgia, Germany, Guatemala, Hungary, Ireland, Japan, Lithuania, Mali, Marshall Islands, Mozambique, Netherlands, Nicaragua, Norway, Peru, Poland, Portugal and Romania: draft resolution

Consolidation of peace through practical disarmament measures

The General Assembly,

Reaffirming the purpose of the United Nations to maintain peace and security and, in this context, reaffirming in particular the role of the United Nations in the field of disarmament, as well as the commitment of Member States to take concrete steps in order to strengthen that role,

Convinced that a comprehensive and integrated approach towards certain practical disarmament measures, such as, inter alia, arms control, particularly with regard to small arms and light weapons, confidence-building measures, demobilization and reintegration of former combatants, demining and conversion, often is a prerequisite to maintaining and consolidating peace and security and thus provides a basis for effective rehabilitation and social and economic development,

Noting in this context the reports of the Secretary-General entitled "An Agenda for Peace" 1/ and "Supplement to an Agenda for Peace", 2/ in which the Secretary-General inter alia stressed the urgent need for "practical disarmament in the context of the conflicts the United Nations is actually

1/ A/47/277-S/24111.

2/ A/50/60-S/1995/1.

dealing with and of the weapons, most of them light weapons, that are actually killing people in the hundreds of thousands", 3/ and in which, with regard to practical disarmament measures, the Secretary-General stated that "the assembly, control and disposal of weapons has been a central feature of most of the comprehensive peace settlements in which the United Nations has played a peacekeeping role", 4/

Recalling its resolutions 49/75 M of 15 December 1994 and 50/70 B and 50/70 J of 12 December 1995 concerning small arms and light weapons, as well as the control and the illicit transfer of such weapons and, in this context, encouraging the work of the United Nations expert panel on small arms,

Welcoming the adoption by the Disarmament Commission of the "Guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991", 5/

Recalling its resolutions 49/75 G of 15 December 1994 and 50/70 H of 12 December 1995, in which it welcomed the initiative taken by Mali concerning the question of illicit circulation of small arms and their collection in the affected States of the Saharo-Sahelian subregion, as well as the action taken by the Secretary-General in the implementation of that initiative,

Welcoming, in this context, the measures taken and other ongoing efforts by the Central African States to promote, within the framework of the Standing Advisory Committee on Security Questions in Central Africa, confidence-building and conflict prevention in their subregion,

Recalling its resolution 50/70 D of 12 December 1995 on transparency in armaments and continuing to take the view that an enhanced level of transparency could contribute to confidence-building and security among States,

Recalling its resolutions 50/70 O and 50/74 of 12 December 1995 and 50/82 of 14 December 1995 addressing the global landmine problem,

Welcoming the adoption on 3 May 1996 of a revised Protocol II by the Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects 6/ as a further step, and also welcoming respective national measures adopted by a growing number of States,

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3/ Ibid., para. 60.

4/ Ibid., para. 62.

5/ Official Records of the General Assembly, Fifty-first Session, Supplement No. 42 (A/51/42), annex I.

6/ CCW/CONF.1/16 (Part I), annex B.

1. Stresses the particular importance of certain practical disarmament measures, such as the collection, control and disposal of arms, especially small arms and light weapons, coupled with restraint over the production and procurement as well as transfers of such arms, the demobilization and reintegration of former combatants, demining and conversion, for the maintenance and consolidation of peace and security in areas that have suffered from conflict;

2. Underlines the important role of the United Nations in providing a political framework for such practical disarmament measures and in facilitating their implementation;

3. Requests the Secretary-General, in the light of experience gained from conflict resolution, to make recommendations and develop guidelines for an integrated approach to such practical disarmament measures, taking also into account the work of the United Nations expert panel on small arms, and to report thereon to the General Assembly at its fifty-second session;

4. Also requests the Secretary-General, in this connection, to seek the views of Member States on this subject and to include them in his report;

5. Calls upon Member States, as well as regional arrangements or agencies, to assist the Secretary-General in his endeavours in this regard and to contribute actively to the implementation of such practical disarmament measures;

6. Encourages United Nations organs and agencies to join in this task within the framework of their responsibilities, and, in particular, invites the United Nations Institute for Disarmament Research to consider assisting the Secretary-General by contributing a comparative report to such an integrated approach on the basis of its Disarmament and Conflict Resolution Project;

7. Decides to include in the provisional agenda of its fifty-second session an item entitled "Consolidation of peace through practical disarmament measures".